

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Agricultural Marketing Department – Departmental proceedings initiated against (1) Sri B. Dharma Reddy, Executive Engineer(AM)(now retired), (2) Sri K.V.Subba Rao, Deputy Executive Engineer(AM)(now retired) and (3) Sri P.V.Nagesh Assistant Engineer(AM) for allegation of irregularities in making excess payment to the Contractor in construction of onion godowns at Chittoor & Punganur – Further action dropped – Orders – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No. 1216

Dated:29-10-2011

Read the following:-

1. GORt.No.879, Agri. & Coop.(VC.II)Dept., dt.25-09-2001.
2. GORt.No.880, Agri. & Coop.(VC.II)Dept., dt.25-09-2001.
3. GORt.No.881, Agri. & Coop.(VC.II)Dept., dt.25-09-2001.
4. From Sri B. Dharma Reddy, Executive Engineer(AM), Written statement of defence dt.08-04-2002.
5. From Sri K.V.Subba Rao, Deputy Executive Engineer(AM), Written statement of defence dt.11-09-2002.
6. From Sri P.V. Nagesh, A.E(AM), Written statement of defence dt.Nil.
7. Govt.Memo No.10936/VC.II(1)/2002-2, dt.02-08-2003.
8. Govt.Memo No.10936/Vig.II(1)/2002-4, dt.15-12-2003.
9. Govt.Memo No.10936/Vig.II(1)/2002-9, dt.14-11-2005.
10. Govt.Memo No.10936/Vig.II(1)/2002-11, dt.23-01-2006.
11. Govt.Memo No.10936/Vig.II(1)/2002-13, dt.22-04-2006.
12. GORt.No.1398, Agri. & Coop.(Vig.II)Dept., dt.12-11-2008.
13. GORt.No.1191, Agri. & Coop.(Vig.II)Dept., dt.25-09-2009.
14. GORt.No.1410, Agri. & Coop.(Vig.II)Dept., dt.06-10-2010.
15. From APAT Judgment dt.04-10-2010 in O.A.No.4728/2010
16. From COI(SB), Inquiry Report dt.17-10-2011.

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ORDER:

In a disciplinary case, departmental proceeding were initiated by framing article of charge against (1) Sri B. Dharma Reddy, Executive Engineer(AM)(now retired), (2) Sri K.V.Subba Rao, Deputy Executive Engineer(AM)(now retired) and (3) Sri P.V.Nagesh Assistant Engineer(AM) for allegation of irregularities in making excess payment to the Contractor in construction of onion godowns at Chittoor & Punganur in the references 1st to 3rd read above, respectively.

2. The Charged Officers have submitted their written statements of defence denying the charge framed against them. As the written statements of defence submitted by the Charged Officers were found not convincing, Government have appointed Sri D.V.Rama Chandra Raju, Superintending Engineer(AM) as Inquiry Authority to conduct common inquiry into the charge framed against all the (3) Charged Officers. Finally, the case was entrusted to the Commissioner of Inquiries.

3. One of the (3) Charged Officers viz. Sri K.V.Subba Rao, Deputy Executive Engineer(AM) has filed O.A.No.4728/2010 before the Hon'ble A.P. Administrative Tribunal challenging the disciplinary proceedings initiated against him. The Hon'ble A.P. Administrative Tribunal, in its judgment dt.04-10-2010 in O.A.No.4728/2010 have ordered as follows:-

“.....In view of above facts and circumstances of the case, I am of the view that, it is appropriate to give a direction to the respondents to complete the enquiry by fixing time. In the result, the O.A. is disposed of directing the respondents to complete the enquiry within ninety days from the date of receipt of a copy of this orders, failing which, it shall be treated that the enquiry is vitiated and no enquiry is pending against the applicant and the respondents shall release all the retrial benefits to the applicant at the earliest”.

4. After conducting common inquiry, the Commissioner of Inquiries has furnished the inquiry report dt.17-10-2011 concluding that the charge against all the (3) Charged Officers viz. (1) Sri B. Dharma Reddy, former Executive Engineer(AM), Kadapa (2) Sri K.V.Subba Rao, former Deputy Executive Engineer(AM), Chittoor and (3) Sri P.V.Nagesh, former Assistant Engineer(AM), O/o Executive Engineer(AM), Kadapa are held not proved.

(PTO)

5. Government, after careful examination of the entire matter with reference to the Judgment dt.04-10-2010 of Hon'ble A.P. Administrative Tribunal in O.A.No.4728/2010 and the inquiry report dt.17-10-2011 of the Commissioner of Inquiries, have decided to drop further action against all the (3) Charged Officers viz. (1) Sri B. Dharma Reddy, former Executive Engineer(AM)(Retired), Kadapa (2) Sri K.V.Subba Rao, former Deputy Executive Engineer(AM)(Retired), Chittoor and (3) Sri P.V.Nagesh, former Assistant Engineer(AM), O/o Executive Engineer(AM), Kadapa, in the above disciplinary case.

6. As such, Government hereby order to drop further action against all the (3) Charged Officers viz. (1) Sri B. Dharma Reddy, former Executive Engineer(AM)(Retired), Kadapa (2) Sri K.V.Subba Rao, former Deputy Executive Engineer(AM)(Retired), Chittoor and (3) Sri P.V.Nagesh, former Assistant Engineer(AM), O/o Executive Engineer(AM), Kadapa, in the above disciplinary case.

7. The Commissioner and Director of Agricultural Marketing, Hyderabad shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R. KRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To

- 1) Sri B. Dharma Reddy, former Executive Engineer(AM)(Retired), Kadapa,
 - 2) Sri K.V.Subba Rao, former Deputy Executive Engineer(AM)(Retired), Chittoor and
 - 3) Sri P.V.Nagesh, former Assistant Engineer(AM), O/o Executive Engineer(AM), Kadapa.
- (Through : The Commissioner and Director of Agricultural Marketing, Hyderabad)

Copy to:-

The Commissioner and Director of Agricultural Marketing, A.P., Hyderabad.

The Secretary, A.P.Vigilance Commission, Hyderabad(C.No.6452/VC.I(2)/2010)

The Government Pleader for Marketing, A.P. Administrative Tribunal, Hyderabad.

Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER